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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Takehiro Fujii	Examiner:	Bradley Smith
Serial No.:	10/792,200	Group Art Unit:	2824
Filing Date:	March 1, 2004	Docket No.:	362-59 PCT/US
Confirmation No.:	4194	Customer No.:	33769
For:	SIDE-EMISSION TYPE SEMICONDUCTOR LIGHT- EMITTING DEVICE AND MANUFACTURING METHOD THERETO	Dated:	September 20, 2004

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify this correspondence is being deposited with the United States Postal Service as first class mail postpaid in an envelope, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

On: September 20, 2004

Signature: Marguerite Franco
Marguerite Franco

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In response to the Restriction Requirement in the Office Action mailed August 24, 2004, Applicant provisionally elects, with traverse, Claims 4-7, 14 and 15 of Group I which are drawn to a side-emission type semiconductor light-emitting device.

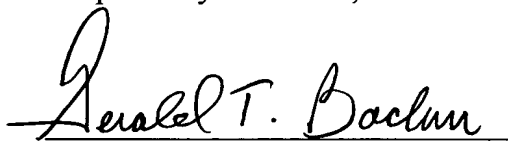
Applicant respectfully traverses the present restriction requirement. The invention has been restricted into two groups of claims. The Examiner contends that Claims 4-7, 14 and 15 comprise one group of claims (Group I) drawn to a light-emitting device, and further contends that Claims 8 and 9 are in a second group (Group II) drawn to a method of making the light-emitting device.

Basically, the Examiner contends that the inventions listed in Groups I and II do not relate to a single general inventive concept under PCT Rule 13.1 and because, under PCT Rule 13.2, they lack the same or corresponding special technical features, in particular, the device claims do not recite the removal of organic matter which is in the method claims.

It is respectfully urged that the inventions defined by the claims in each group are so related that they should all be included in a single patent. Each of Claims 4-7, 14 and 15 defines a side-emission type semiconductor light-emitting device, claims 8 and 9 define a method of manufacturing such a device. Whether a method claim or an apparatus claim, each claim particularly defines the structure of the light-emitting device as having a reflector, a concave portion on a substrate, and a transparent or translucent resin between the reflector and the substrate. Accordingly, it is respectfully urged that each of the claims has corresponding special technical features, in compliance with PCT Rule 13.2, and do, in fact, relate to a single general inventive concept under PCT Rule 13.1. Therefore, it is respectfully urged that the method of manufacturing claims and the light-emitting device claims are so interrelated and specific to one another that they should be examined together and included in a single patent.

In view of the foregoing remarks, withdrawal of the restriction requirement and consideration on the merits of Claims 4-9, 14 and 15 or, if the restriction requirement is maintained, consideration of the provisionally elected claims of Group I (Claims 4-7, 14 and 15), are respectfully solicited.

Respectfully submitted,

A handwritten signature in cursive script, reading "Gerald T. Bodner", written in dark ink. The signature is fluid and stylized, with the first letters of each word being capitalized and prominent.

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